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7 Attorneys for Defendant RASH CURTIS & ASSOCIATES

8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 SANDRA McMILLION, JESSICA ADEKOYA,
AND IGNACIO PEREZ, on Behalf of
13 Themselves and all Others Similarly Situated,

14 Plaintiffs,

15 v.

16 RASH CURTIS & ASSOCIATES,

17 Defendant.
18

Case No.: 4:16-cv-03396-YGR JSC

DISCOVERY PLAN

DATE: October 21, 2016

TIME: 9:01 a.m.

CRTRM: 1

19 Pursuant to the Court's order at the initial Case Management Conference and subsequent
20 minute orders, the parties jointly submit this Discovery Plan.

21 **Written Discovery**

- 22 1. Plaintiffs have propounded written interrogatories and request for production of documents
23 to Defendant.
- 24 2. Although responses to this discovery would not normally be due until October 24, 2016,
25 Defendant has agreed to provide its responses to by October 21, 2016.
- 26 3. Defendant will produce history notes and call records for the three named Plaintiffs by
27 October 21, 2016.
- 28 4. The parties have already identified a potential discovery issue with Plaintiffs' Request for

- 1 Production No. 2. The parties have met and conferred in an effort to resolve these issues
2 and have a plan to continue informal attempts at resolution.
- 3 5. The parties have scheduled a further meet and confer date on October 26, 2016 at 11:00
4 a.m. in order to discuss Defendant's responses to discovery to be served October 21st.
- 5 6. Defendant will produce additional responsive documents including, but not limited to,
6 compliance and policy and procedure documents by October 28, 2016.
- 7 7. The parties have discussed the production of a sampling of documents related to the
8 putative class members. Plaintiffs proposed that defendant produce a one-week sample of
9 call records and history notes for the putative class period, and that the documents be
10 produced in a searchable format. Defense counsel are conferring with their client regarding
11 the scope of the requested documents as well as the format of the documents requested and
12 will update Plaintiff's counsel on these issues during the meet and confer on October 26,
13 2016, if not before.
- 14 8. The parties have scheduled a third meet and confer session for November 7, 2016 at 11:00
15 a.m. with the expectation that by that point Plaintiffs' experts will have had the opportunity
16 to review at least the documents related to the named Plaintiffs and the parties can continue
17 discussing how to proceed.
- 18 9. Defendant will propound written interrogatories, requests for production of documents and
19 requests for admissions to Plaintiffs by October 21st.

20 **Depositions**

- 21 10. Defendant will take the depositions of the three named Plaintiffs. The parties are working
22 to identify available dates for the Plaintiffs and all counsel in November and December of
23 2016 for those depositions.
- 24 11. Plaintiffs will depose 30(b)(6) witnesses and other appropriate fact witnesses from
25 Defendant. These depositions will be scheduled after Plaintiffs and their experts have the
26 opportunity to review documents produced by Defendant. It is anticipated by the parties
27 that these deposition will take place in December of 2016 and January of 2017.
- 28 12. Expert depositions will be scheduled after any motion for class certification is filed relying

1 on any expert opinions or analysis.

2 Respectfully submitted by,

3 Dated: October 14, 2016

ELLIS LAW GROUP LLP

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5 By /s/ Amanda N. Griffith
6 Amanda N. Griffith
7 Attorney for Defendant
RASH CURTIS & ASSOCIATES

8 Dated: October 14, 2016

BURSOR & FISHER, P.A.

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10 By /s/ Yeremey O. Krivoshey
11 Yeremey O. Krivoshey
12 Attorney for Plaintiffs
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CERTIFICATE OF SERVICE

I, Jennifer Mueller, declare:

I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 740 University Avenue, Suite 100, Sacramento, CA 95825.

On October 14, 2016, I served the following document(s) on the parties in the within action:

DISCOVERY PLAN

X

VIA ELECTRONIC SERVICE: The above-described document(s) will be delivered electronically through the Court's ECF/PACER electronic filing system, as stipulated by all parties to constitute personal service, to the following:

L. Timothy Fisher
Annick M. Persinger
Yeremey Krivoshey
Bursor & Fisher, P.A.
1990 N. California Boulevard
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Walnut Creek, CA 94596

Attorneys for Plaintiffs
Sandra McMillion, Jessica Adekoya and Ignacio Perez

I declare under penalty of perjury under the laws of the State of California that the foregoing is a true and correct statement and that this Certificate was executed on October 14, 2016.

By: 
Jennifer Mueller